

REMARKS/ARGUMENTS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office Action, and amended as necessary to more clearly and particularly describe the subject matter that Applicant regards as the invention. Review of the subject application in view of the present remarks is respectfully requested.

Claim 4 has been rejected under 35 U.S.C. 112, second paragraph. The Examiner has rejected claim 4 because it is not clear what “center hold angle range” refers to. Applicant has amended claim 4 to include the phrase “predetermined angle range”. Therefore, the rejection is moot, and respectfully requests that this rejection be withdrawn.

Claims 1, 2 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Kutman (U.S. Patent No. 4,736,218), hereinafter “Kutman”. Applicant has cancelled claim 6.

Applicant respectfully asserts that Kutman fails to disclose every element of claim 1. Amended claim 1 features the limitation that “said lens moving mechanism for moving said lens in the zenith direction according to a rotation of said lens in the tilt direction, said lens moving mechanism holding a rotation axis of said lens at the center of the dome in a predetermined angle range corresponding to a direction of an elevation angle, and moving the rotation axis of said lens from the center of the dome in the zenith direction at angles lower than said predetermined angle range.” Kutman fails to disclose this limitation.

In Kutman, the center of rotation of lens 92 exists at the same position when carrying out shooting in any direction within the whole area of the glass window 22. For example, in col. 4, lines 44-48, Kutman states “A glass window 22 is located in the lower section 20. The lower

section 20 has an elongated opening 24 formed therein and over this opening the glass window extends as can be seen most clearly in Fig. 3.” Accordingly, the whole of the dome is not transparent. The glass window 22 is provided as a part of the dome. The camera 90 carries out shooting through this glass window 22. With reference to Figs. 4 and 5 of Kutman, in Fig. 4, the lens 92 is directed or oriented to the top end portion of the glass window 22. In Fig. 5, the lens 92 is directed or oriented to the lower end portion of the glass window 22. This means that Figs. 4 and 5 shows both ends of moving the lens 92, thus illustrating the full range of motion of the lens. In Figs. 4 and 5, the center of rotation of lens 22 exists at the same position. Applicant respectfully asserts that the center of rotation of lens 92 does not move, and therefore, the claim limitation “moving the rotation axis of said lens” is not met.

Additionally, Kutman discloses a camera that is adjustable via tilt and pan motions about the pedestal 50 in Fig. 4. Where Kutman states “The camera support means includes an inner post or pedestal 50 that extends into the enclosure,” the Examiner alleges that Kutman discloses “the support post moves the lens assembly upward [and] thus moves the center of rotation of the lens away from the station dome center as cited in the claim.” This interpretation is not supported by the context of the description. By saying “extends”, Kutman is only giving length to the pedestal and giving dimension to the housing. This is further evidenced by Kutman’s failure to disclose any additional information relating to a pedestal moveable towards or away from the housing. Therefore, the silence by Kutman implies that the center of rotation of the lens is *not movable* in a zenith direction as defined in claim 1.

Referring now to paragraphs [0003]-[0006], [0041], [0042], [0047], etc. of the PCT application, Applicant states that the rotation axis of the lens is moved from the center of the dome in the zenith direction for the purpose of preventing vignetting when shooting in the

direction of a depression angle (“vignetting” refers to a partial darkening of an image due to a camera case being in part of the shooting area). According to this feature, the claimed invention can prevent vignetting by moving the rotation axis of said lens from the center of the dome in a zenith direction at angles lower than said predetermined angle range, while obtaining good images by holding the rotation axis of said lens at the center of the dome in the predetermined angle range ([0019], [0020], [0070] of the PCT application).

In Kutman, as shown in Figs. 1, 4 and 5, two hemispheres 18 and 20 are combined to form a sphere-shaped housing. Here, the connection plane of two hemispheres 18 and 20 slants, and a part of the slanting lower hemisphere 20 is covered by the glass window 22. In such configuration of Kutman, vignetting does not occur. Accordingly, Kutman inherently has nothing to do with moving the rotation axis of the lens in the zenith direction in order to prevent vignetting.

Applicant respectfully asserts that in Kutman, the center of rotation of lens 92 does not move in the zenith direction as defined in claim 1. Also in Kutman, vignetting does not occur when carrying out shooting in any direction within the whole area of the glass window 22.

Therefore, Kutman fails to disclose that the camera holds and moves the rotation axis of the lens as required by claim 1. As Kutman fails to disclose every element of claim 1, Kutman fails to anticipate claim 1.

Claims 2-5 depend directly or indirectly on claim 1, and thus are patentable for at least the same reasons as the parent claim.

Claims 3-5 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kutman in view of Suganuma (U.S. Patent Application No. 2001/0018997), hereinafter “Suganuma”. For at least the following reasons, the Examiner's rejection is respectfully traversed. The asserted

combination of Kutman in view of Suganama, independently or in combination, does not teach or suggest all features of the claimed invention.

Regarding claims 3-5, and as explained with regard to claim 1, from which claims 3-5 depend, Kutman does not disclose that the “center of rotation of said lens can be moved...in a zenith direction” as required by claim 1. Further, Applicant respectfully submits that there is no teaching of a lens having a movable center of rotation in the disclosure of Suganama. Therefore, even if Kutman were combined with Suganama, every limitation of claims 3-5 would not be taught, suggested, or otherwise rendered obvious by the resulting combination.

Also in regards to claims 3-5, Suganama is a device for providing braking assistance to a wheelchair. One of ordinary skill in the art of surveillance cameras would not look to a wheelchair to provide the best way to implement a cam into the design. Thus, the combination between Kutman and Suganama is not proper.

Applicant also asserts that new claim 7 is neither anticipated nor obvious in light of the prior art of record.

In light of the foregoing, it is respectfully submitted that the present application is in condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No.: 16-0820, our Order No.: OHNO-40754.

Respectfully submitted,

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